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Children First

1042 Harrison Street, Corpus Christi, TX 78404 Phone: 512-855-3926

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The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

Dear Chairman Hundt:

On behalf of my child advocacy organization, I am writing to encourage you to strengthen the guidelines for the Children's Television Act of 1990 (MM No. 93-48).

In Corpus Christi, one third of all our youth do not graduate from high school, and many of these drift into street gangs, crime, violence and drug and alcohol addiction. Our next generation is going to be ill equipped to work and function as citizens, and we have a crisis on our hands. We need to use every means at our disposal to try to educate our future youth and turn this sorry situation around.

Realizing the number of hours our youth spend watching TV each day, your regulatory body has the authority and responsibility to help this happen. Please act responsibly for our future generations.

Cordially,

Kenneth W. Johnson
Founder and President

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AMERICAN CENTER FOR CHILDREN'S TELEVISION
THE OLLIE AWARDS

February 15, 1996

Without doubt, television classification or rating systems are at the forefront of the debate about helping families control the programming that enters their homes. Several recent developments guarantee this, including the Telecommunications Act of 1996 requiring V-chip technology in new TV sets, and the two major studies examining the extent and context of television violence.

The argument for the V-chip is usually made in the negative -- it prevents viewing of certain programs. In the long run, however, there is greater strength in its affirmative potential to help parents locate shows appropriate for their children. We believe that thoughtfully-designed codes can inform parents without infringing on telecasters' rights. Advertisers could benefit, as well, from a system that targets specific audiences more effectively, whether children, families or adults.

Late last year, the American Center for Children's Television and the Annenberg Washington Program sponsored a seminar to discuss the foundations of such a coding system. The enclosed report of that meeting brings new perspective to the V-chip discussion.

The American Center for Children's Television seeks innovative, positive and practical solutions that de-polarize issues. We welcome your comments on this report or questions about the Center, via phone (847-390-6499), fax (847-390-9435) or e-mail (*dkleeman@mcs.net*).

Sincerely,

James A. Fellows
President

David W. Kleeman
Executive Director

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AMERICAN CENTER FOR CHILDREN'S TELEVISION
THE OLLIE AWARDS

V-CHIP RATINGS: PROPOSALS FOR INFORMING, NOT INFRINGING

Presented by the Annenberg Washington Program and the American Center for Children's Television

Summary by David Kleeman, Executive Director, ACCT

Framing the Issue: Beacon or Blocker

Legislators and the entertainment industry, as well as children's advocates, educators and researchers, have long debated the use of regulation or technology to reduce young people's exposure to media violence, or to mitigate its effects.

Most recently, attention has been focused on the "V-chip," a technology designed primarily to restrict children's viewing of violent television programs. A mandate to implant such a chip in every new TV set was signed into law as part of the Telecommunications Act of 1996.

As often happens, however, debate over the V-chip devolved into charges of censorship, countered by accusations of pandering. A middle ground lay unexplored -- to re-define the technology beyond its restrictive applications, applying it more broadly and positively to supporting viewer choice.

This was the focal point of an October meeting in Washington, involving industry executives, children's advocates and academic researchers. Many others had already debated the merits of the chip itself. Further, even if not ultimately called a "V-chip," parental guidance/lockout technologies are inevitable for the future:

> In his November 1995 column for **Wired** magazine, Nicholas Negroponte detailed the rapid convergence of television and computers. New TV sets, he wrote, have growing computing power, and many new computers are equipped to process video. These hybrid televisions will, in the not-so-distant future, feature sophisticated navigation systems to help <u>every</u> viewer -- not just parents or children -- quickly and easily find programs that suit their interests and taste.

Presaging this perceptive forecast, the meeting considered the classification systems, or the "software," for the V-chip. The pending legislation requires television broadcasters to develop a rating system within a year. An ill-considered or one-dimensional coding system could render the V-chip a crude blocker, but a thoughtful approach could yield an informative navigator, while protecting telecasters' First Amendment rights.

A coding system that accounts for context would help parents locate appropriate programs for their children, as well as avoid those they don't want. With violent, sexual or adult-themed material described in context, parents could make informed distinctions among programs that may use similar content with very different intent.

This would also eliminate the stigma that might be imposed by a meter that simply tallies violent incidents. It is easy to imagine compelling programs that would never have been made or aired if the producer, telecaster or advertiser feared being labeled a purveyor of violence.

No single technology has yet been identified as the V-chip. Before beginning to produce the hardware, it is imperative to anticipate flexible, informative and easy-to-use applications.

Existing Models

Other information and entertainment media have already implemented systems for giving parents increased information and control:

> Two organizations -- the Entertainment Software Review Board and the Recreational Software Advisory Committee -- have established rating systems for packaged computer programs and video games.
>
> A coalition of telecommunications hardware, software and on-line companies and organizations are collaborating on a flexible system for guiding and restricting Internet navigation. The Platform for Internet Content Selection (available in 1996) will furnish a standard technology platform on which interested groups can build their own rating systems; parents can choose one that suits their needs and values.
>
> Software already on the market (e.g., Surfwatch and Cybersitter) performs certain aspects of this function for Internet users.

For the computer and new media industries, providing access controls is more than a goodwill gesture; it is a key marketing strategy, noted Harris Miller, President of the Information Technology Association of America, in his opening comments.

"If people who are already intimidated by technology think that flipping on their computer means that they're going to be seeing sex and violence...which they're trying to get away from in their television, or in their movies, or in their lives, then our ability to market our products and get more people on line, more people accessing the net, and more people using PCs at home would be lessened considerably."

Television's Unique Challenges

Television guidance systems entail unique challenges compared to other media:

TV comes into the home constantly, requires no specific purchase decision for each new program, and leaves no trace; as a result it's far more difficult for parents to monitor their children's viewing than their music, videocassette, video game or software purchases. Further, unlike packaged media, there's no box on which to place rating information.

The interactive nature and processing power of computers makes it easier to deliver a multifaceted, user-friendly classification system.

Most television programming is committed to film or video and does not change (akin to motion pictures); however, a V-chip system must be able to accommodate news or special event programming that changes constantly (as does the Internet).

Still, today's children don't segregate media experiences or think about TV, video and computers as separate "industries". They view them as interchangeable sources of information and entertainment. Characters and content frequently and freely cross among these media. The V-chip won't exist in a vacuum, and it is vital for those who will develop hardware and ratings for television to work in concert with guidance and lockout systems for other media.

The Charge to the Panel

Each panelist was asked to present a program classification model -- or important considerations in creating such a model -- that would inform families without infringing on telecasters' rights. These guidelines were stipulated as fundamental to any system they proposed:

Avoid government-authored ratings. *Classification may be done by committees, independent organizations, private companies or telecasters themselves; however, government intrusion on the substance or application of ratings would be antithetical to the First Amendment.*

Assure that creative control remains with producers and telecasters. *While reviewers may provide constructive comment to producers, the classification process should not be used to extract content or artistic changes to a program, in exchange for a more favorable rating.*

Support families' capacity to locate appropriate programs, as well as to block those they don't want. *While the argument for the V-chip is usually made in the negative -- it prevents viewing of certain programs -- it can be made equally well in the affirmative -- it helps families locate shows targeted to their children.*

Identify adult-targeted shows in ways that do not stigmatize their producers, telecasters or advertisers. *Navigation or blocking technology can foster variety, risk-taking and creativity in television programming, by acknowledging that not all program are meant for all audiences.*

The Presentations

Donald Roberts, Chair of the Communication Department at Stanford University, helped create the Recreational Software Advisory Council's voluntary and independent labeling system. Like food labels, RSAC seeks to "provide potential consumers with information about what they are going to find in the package...and let them determine whether to use the product."

The Council rejected an age-based scheme, because not all children of a single age are alike, and not all parents agree about what is appropriate for children at a particular age. Instead, RSAC uses a five-level rating system, assigning a score of 0 (appropriate for all audiences) through 5 (extreme content) to each of three dimensions: violence, sex/nudity, and language. The idea is to put control in parents' hands, by describing content and context without saying "here is what's appropriate," Roberts emphasizes.

A product's scores are determined by answering questions composed to reflect current developmental and media research. In coding violence, for example, reviewers consider the type of target (human-like/non-human/object), the target's stance (threatening vs. non-threatening), consequences for both the victim and the aggressor, and the degree of blood and gore.

By necessity, producers evaluate their own games. It can take up to 100 hours to review thoroughly a single product, and over 2000 games are on the market. Roberts is not concerned, however, about allowing the "foxes to guard the hen house": the process is objective and the evaluation template open to the public.

Everyone reviewing a game should independently reach the same assessment; in fact, RSAC reviews many games each year to audit the system. "Cheaters" would be publicly exposed and barred from labeling future products, and few stores will carry un-rated games.

Barbara Wilson, Associate Professor of Communication at the University of California at Santa Barbara, is a member of the team assessing television violence for the cable industry. Unlike Roberts, Wilson recommends an age-based informational labeling system. Most parents, she has found, know that some programs are not appropriate for all ages, and feel they are best equipped to judge their own children's maturity. "We will make choices," Wilson cites parents as saying, "but we need meaningful information about the content of programs."

Wilson's age rating would reflect content and contextual factors very similar to those used by Don Roberts in RSAC's labeling. These include whether violence is rewarded or punished; if the consequences are depicted (i.e., violence is not happy or funny, people get hurt, and victims have families); whether the violence seems realistic and replicable, especially by children; and if the violence is repetitive and/or graphic. Wilson also would ask whether the violence is committed by a hero or villain; she noted the dearth of non-violent heroes.

With this information, Wilson would classify programs in accordance with common developmental watersheds, as defined by current research:

> A program rated for "All Ages" might contain no violence, although programs that portray violence in a necessary, clear and pro-social context should be eligible for this rating, as well.
>
> A "V-6" rating -- appropriate for children <u>older</u> than six -- could go to programs with cartoon-type violence, usually fantastic and impossible to replicate. The aggression might be committed by heroes or rewarded.
>
> "V-12" might apply to shows with rewarded violence that is shown as heroic and without consequence. This category could include violence perpetrated by children.
>
> "V-17" would reflect adult-oriented content, not intended for children.

Wilson stressed the need to respect creative freedom. Conflict is intrinsic and essential to storytelling, and writers and producers need the freedom to tell compelling stories. Television executives don't want to be stigmatized or lose money under a rating system. Both these concerns, she felt, could be relieved by providing adequate context for ratings.

Wilson advocated that the television industry rate its own programs, again similar to RSAC's method. She, too, proposed that an independent board rate a random sample of programming annually to confirm the ratings, to provide feedback to the industry, and to continue to involve community and education groups in discussions to refine the service.

Helen Liebowitz is a National PTA Board member, and team leader for the organization's Critical Viewing/Media Project. The PTA -- representing 6.9 million parents, teachers and advocates -- supports V-chip technology accompanied by easy-to-use, informative applications.

Liebowitz, like Wilson, urged that parents, teachers, and other stakeholders be engaged in developing V-chip codes and monitoring their use. The PTA recommends the formation of a diverse, distinguished national panel of parents, media advocates, TV executives, academics, clergy, policy makers, educators, psychologists and pediatricians. Under the auspices of the Federal Communications Commission, the committee would organize focus groups and town meetings nationwide, to solicit public comment about V-chip ratings systems. Additional comment would be solicited via interactive technology, to include those who can't attend the meetings.

Liebowitz also called for the panel to develop definitions of violence (including specific interpretations of "excessive" and "gratuitous" violence) that consider the context of actions.

Ken Stein is Senior Vice President, Corporate and Regulatory Affairs, for Shaw Communications, Canada's second largest cable company, serving 1.5 million subscribers. Shaw is also part-owner of the Canadian kids' channel, YTV.

Shaw Communications has made three specific commitments to benefit children: to produce more high-quality children's programming (the company has endowed a $27 million production fund); to hold more community and on-air forums about television and society; and to provide customers with direct means to control television programming that comes into their homes.

Thus, Shaw had already concluded that the V-chip, appropriately applied, could be fully in keeping with its commitment to serving its customers through advanced technology. Uninterested in a long public policy debate, the company began its own V-chip tests.

The Canadian V-chip tests used a rating system similar to RSAC's: violence, sex and language were scored on a 1 - 9 scale. Follow-up surveys found that customers were also interested in information along one other dimension -- "theme." Parents were anxious to be informed about shocking or mature topics, especially in the case of daytime talk shows.

Customer response to the trial was extraordinarily positive, with an 80% of customers satisfied. People who used the system found it useful and simple ("if you can count to 9, you can use the ratings," one said). In the coming months, Shaw will move toward full implementation, offering its customers V-chip capability in a set-top box (at a cost of $30 - $50).

Next, Shaw must explore how to advance from its test coding system to a platform that can handle multiple ratings services. This is necessary both to account for U.S./Canadian system differences, and to try to coordinate the guidance systems for various home technologies.

Like Harris Miller, Stein made clear that Shaw's decision to test the V-chip was a marketing decision. "This is not the fox taking care of the chicken house; this is the foxes taking care of the foxes," he concluded. If television set-makers offer the technology, and someone else provides a rating system, consumers will seek it out. Broadcasters will be left out unless they anticipate and serve that market.

Peggy Binzel, Senior Vice President of Government Relations for News Corporation, Inc. (the parent company of Fox Television) clarified that her company doesn't dispute parents' right to monitor and select the programming their children see. What Fox opposes is government involvement in the classification or blocking of television programs.

Binzel also asserted that while the cost of adding a V-chip to every television set has been promoted as only one dollar, this inexpensive chip does not allow true parental control, as described in the guidelines laid out for this discussion. It can only process simple instructions, and is therefore more of a blocker than a navigator.

To Binzel, descriptive information is far more useful than ratings. The nature of the content in most programming is fairly obvious, and doesn't change much week to week. Most surprises lay in movies on television, but Binzel doubts that an MPAA-style rating system (like that used for films) would work. Not only is it expensive and time consuming to administer, but the mature content of broadcast programming -- including movies -- is already edited to, at most, PG-13.

As an alternative to the V-chip, News Corporation is developing *TV Guide On-Screen* (TV Guide is also a News Corporation subsidiary). In addition to offering descriptive program information, the service will enable parents to block or to allow certain channels, and to permit or prohibit television use during certain hours. News Corporation is encouraging cable providers to offer the set-top boxes for *TV Guide On--Screen* at no cost to customers.

Using the descriptive features of *TV Guide On-Screen*, any independent organization could convey information and opinions about programs to viewers.

Initially, this system will work only with cable and DBS reception; however, broadcasters have established a fund for developing an inexpensive technology, that will work with existing televisions, with navigation and blocking capabilities similar to *TV Guide On--Screen.*

Conclusions

The V-chip is not a panacea for families struggling with television. It won't, by itself, inspire new, high-quality programming. Determined (and technologically savvy) children will find ways to override the chip, or they'll go to a friend's house that is "chip-free." While some families will hasten to replace existing sets with V-chip-equipped televisions, widespread dispersal into the marketplace will be slow. The families that could benefit most from signal blocking -- those with the least parental supervision (and, in general, the greatest exposure to real-life violence) -- will be least able to purchase new sets.

The V-chip is a first step toward more sophisticated navigation systems, as described by Nicholas Negroponte. Based on the expertise of these panelists, however, it is possible to make the most of the V-chip, by applying thoughtful classification and descriptive systems, built upon the following recommendations:

Parents, teachers and others with a stake in children's growth and learning -- and TV program makers -- must participate in development of classification systems.

Broadcasters are best equipped to review and code their own shows. The sheer volume of programming, and the timeliness of much of it, would make this function impossible for an independent source.

Self-administered ratings can succeed, as long as the review system is transparent to the public and the meaning of the codes is clear. There must be provisions for ongoing review of the standards and practices, and a process for public discussion and challenge of the system.

Sanctions for abuse must be widely known, definitive and fair, but substantial.

Different templates used to inform the public about program content and context (i.e., Don Roberts' content labels vs. Barbara Wilson's age-based ratings) are built upon nearly identical sets of questions. This suggests that broadcasters could assess programs using a standard set of criteria. Independent groups -- education organizations, civil liberties associations, churches, child development institutes -- could then provide families with their own interpretations of these ratings, and recommend thresholds for programming the V-chip. This is similar in concept to the Platform for Internet Content Selection.

The name "V-chip" grew from the initial intent of the device -- to limit children's exposure to televised violence. Catchy and obvious, the name caught on with the press. In the process, however, the term has come to symbolize something that the technology needn't become.

These fresh perspectives on classification reveal that it is entirely possible to design a chip that promotes and facilitates positive viewing choices. To pursue this "V-for-versatile" chip will benefit all involved: children, parents, telecasters, producers and advertisers.

January 12, 1996

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